

DATE June 19, 2006

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR RIVERPOINT WEST DETENTION BASIN, SAXTON INC.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the Riverpoint West Detention Basin, 08-2004-001, in accordance with the contract approved between Saxton Inc., Russel Saxton, President, 700 SE 2nd Street, Leon, IA 50144, under Roll Call No. 05-790, of March 28, 2005, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$791,358.86 is the total cost, of which \$743,817.99 has been paid the Contractor, and \$7,972.93 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$39,567.94 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser.

BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such acceptance within which to initiate suit to collect on their claims, and that if suit is not commenced within that time, the City of Des Moines will be required to release the retainage which it is now holding.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

BE IT FURTHER RESOLVED: That the Acting Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

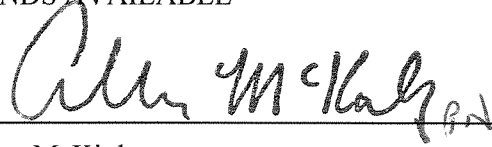
Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Acting Des Moines Finance Director

★ **Roll Call Number**

Agenda Item Number

12 B

DATE June 19, 2006

Funding Source: Economic Development Initiatives - Special Project, EISP2001001, Various Funding, Being: \$400,000 in HUD Economic Development Initiative Grant funds for construction (plus \$56,964 for Contract Administration) from the VA-HUD Independent Agencies Appropriations Act of FY2000 (PL-106-74) as specified in Conference Report (HR106-379): with \$925,100 in HUD Neighborhood Initiative Grant funds for construction (plus \$72,700 for Contract Administration) from the VA-HUD Independent Agencies Appropriations Act of FY2001 (PL-106-377) as specified in Conference Report (HR106-988) available in Account 543030, Fund SP040, Org CMO980719, Project NEIN2001001, Neighborhood Initiatives

B-00-SP-IA-0111, B-01-NI-IA-DM-0002

DRB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

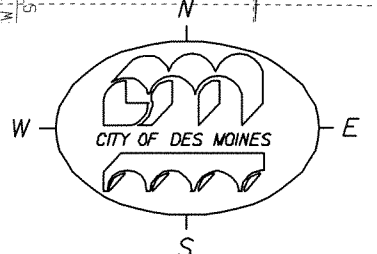
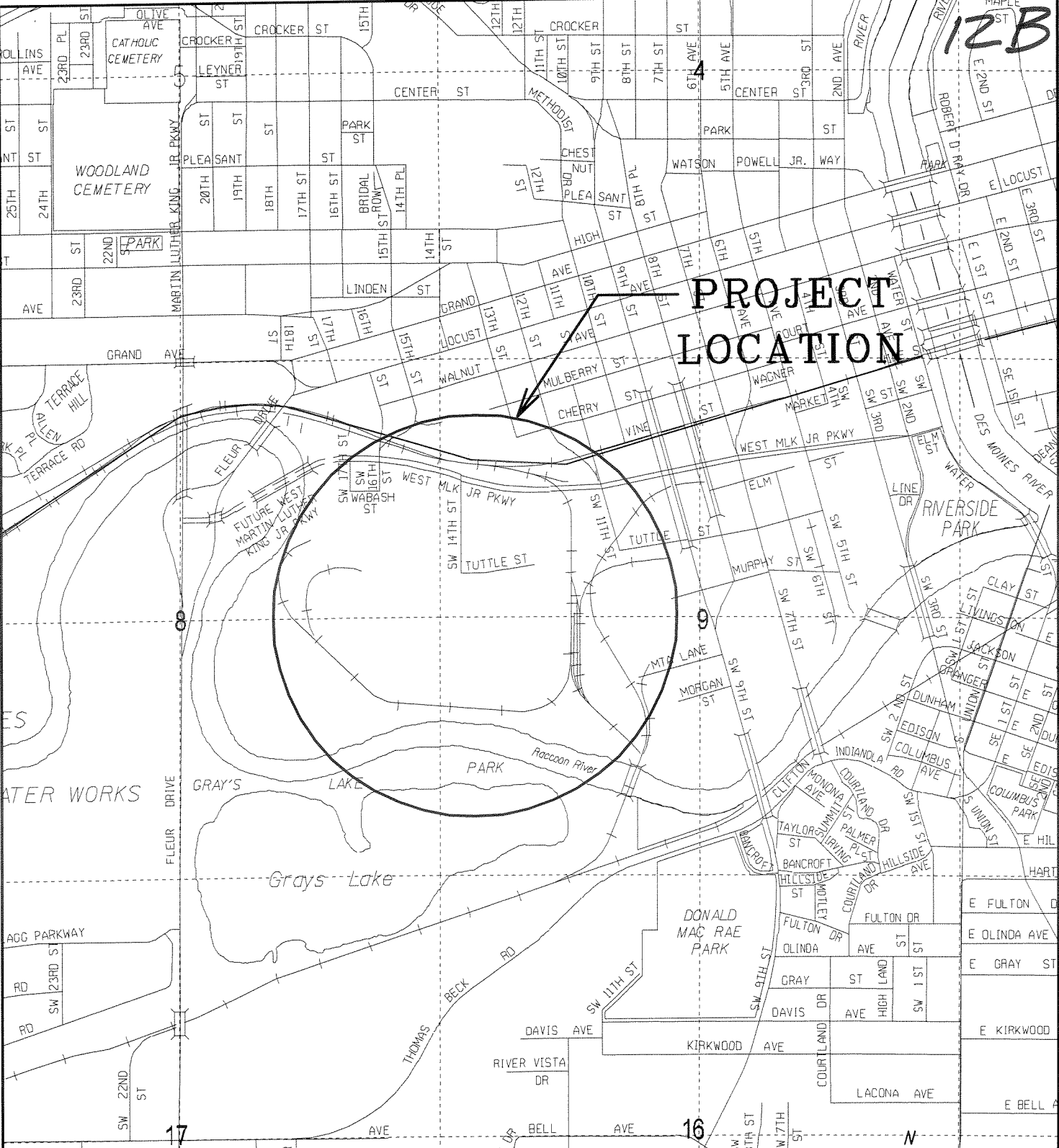
I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

12B

**PROJECT
LOCATION**



**RIVERPOINT WEST DETENTION BASIN
ACTIVITY ID 08-2004-001**

12 B

PROJECT SUMMARY

Riverpoint West Detention Basin

Activity ID 08-2004-001

On March 28, 2005, under Roll Call 05-790, the City Council awarded the contract for the above improvement to Saxton Inc. in the amount of \$800,486.05, for the excavation work in the west cell at the Riverpoint West Detention Basin.

Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	5/25/2006 Adjust final quantities to asbuilt measurements	Engineering	(\$9,127.19)
Original Contract Amount			\$800,486.05
Total Change Orders			(\$9,127.19)
Percent of Change Orders to Original Contract			-1.14%
Final Contract Amount			\$791,358.86

12 B

June 19, 2006

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Riverpoint West Detention Basin, Saxton Inc..

SYNOPSIS:

Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

FISCAL IMPACT:

Amount: \$791,358.86 As-Built Contract Cost

Funding Source: Economic Development Initiatives - Special Project, EISP2001001, Various Funding, Being:

\$400,000 in HUD Economic Development Initiative Grant funds for construction (plus \$56,964 for Contract Administration) from the VA-HUD Independent Agencies Appropriations Act of FY2000 (PL-106-74) as specified in Conference Report (HR106-379); with \$925,100 in HUD Neighborhood Initiative Grant funds for construction (plus \$72,700 for Contract Administration) from the VA-HUD Independent Agencies Appropriations Act of FY2001 (PL-106-377) as specified in Conference Report (HR106-988) available in Account 543030, Fund SP040, Org CMO980719, Project NEIN2001001, Neighborhood Initiatives

CERTIFICATION OF COMPLETION:

On March 28, 2005, under Roll Call No. 05-790, the City Council awarded a contract to Saxton Inc., Russel Saxton, President, 700 SE 2nd Street, Leon, IA 50144 for the construction of the following improvement:

Riverpoint West Detention Basin, 08-2004-001

The construction of a 5-acre storm water detention basin, including all labor, material and equipment necessary for clearing and grubbing of the site, excavation of approximately 65,000 cubic yards of material consisting of soil and demolition rubble, removal and disposal of two piles of railroad ties, construction of aggregate access roads, removal of storm sewer pipe, installation of pipe outlets and concrete paved channels, installation of 8-foot chain link perimeter fence with gates, seeding, and miscellaneous associated work including cleanup; in accordance with the contract documents including Plan File Nos. 438-164/183 located along the north bank of the Raccoon River at the extension of SW 14th Street approximately 1000 feet south of Tuttle Street



ENGINEERING DEPARTMENT
CITY HALL
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1891
(515) 283-4920
FAX (515) 283-4112

ALL-AMERICA CITY
1949, 1976, 1981
2003

I hereby certify that the construction of said Riverpoint West Detention Basin, Activity ID 08-2004-001, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on May 31, 2005, and was completed on June 9, 2006.

I further certify that \$791,358.86 is the total cost of said improvement, of which \$743,817.99 has been paid the Contractor and \$7,972.93 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$39,567.94 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser. The amount of completed work is shown on the attached Estimate of Construction Completed.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer". The signature is written in a cursive style with a small mark at the end.

Jeb E. Brewer, P.E.
Des Moines City Engineer

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 4/20/06 TO 5/31/06
PARTIAL PAYMENT NO. 11 Final

PROJECT: Riverpoint West Detention Basin
CONTRACTOR: Saxton Inc.

PARTIAL PAYMENT NO. 11 Final

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
0010	Mobilization	LS	1.000	1.000		1.000	\$40,000.00	\$40,000.00
0020	Clearing and Grubbing	Acre	5.900	5.900		5.900	\$10,000.00	\$59,000.00
0030	Remove Railroad Ties	LS	1.000	1.000		1.000	\$10,000.00	\$10,000.00
0040	Construction and Demolition Disposal	LS	1.000	1.000		1.000	\$100,000.00	\$100,000.00
0050	Abandon Monitoring Wells	Each	3.000	0.000		0.000	\$5,000.00	\$0.00
0060	Class 13 Excavation	CY	65,600.000	65,600.000		65,600.000	\$6.00	\$393,600.00
0070	Core Out Excavation	CY	720.000	720.000		720.000	\$6.00	\$4,320.00
0080	Remove 60" Storm Sewers	LF	315.000	315.000		315.000	\$15.92	\$5,014.80
0090	Access Road Polymer Grid	SY	4,287.990	4,287.990		4,287.990	\$4.02	\$17,237.72
0100	Access Road Class D Subbase Surfacing	Ton	2,540.000	2,552.860		2,552.860	\$16.85	\$43,015.69
0110	Intercepting Flumes	LF	76.000	125.000		125.000	\$32.00	\$4,000.00
0120	Concrete Culvert, 24-in Dia.	LF	36.000	36.000		36.000	\$40.20	\$1,447.20
0130	Corrugated Metal Culvert, 24-in Dia	LF	30.000	30.000		30.000	\$41.67	\$1,250.10
0140	Corrugated Metal Elbow, 60-in Dia	Each	1.000	1.000		1.000	\$1,630.00	\$1,630.00
0150	Corrugated Metal Flared End Section, 60-in Dia	Each	1.000	1.000		1.000	\$980.00	\$980.00
0160	Reinforced Concrete Flared End Section, 24-in Dia.	Each	1.000	1.000		1.000	\$560.00	\$560.00
0170	Corrugated Metal Flared End Section, 24-in Dia	Each	1.000	1.000		1.000	\$150.00	\$150.00
0180	Concrete Cunette	CY	144.600	134.900		134.900	\$220.00	\$29,678.00
0190	Urban Seeding and Fertilizing	Acre	2.400	2.400		2.400	\$975.00	\$2,340.00
0200	Wetland Grass Seeding	Acre	3.200	3.240		3.240	\$2,275.00	\$7,371.00
0210	Stabilizing Crop Seeding and Fertilizing	Acre	7.400	0.000		0.000	\$358.00	\$0.00
0220	Class E Riprap	Ton	65.000	113.030		113.030	\$31.65	\$3,577.40
0230	Silt Fence	LF	2,450.000	2,806.000		2,806.000	\$2.41	\$6,762.46
0240	Removal of Silt Fence	LF	2,450.000	2,806.000		2,806.000	\$0.65	\$1,823.90
0250	Remove Chain Link Fence	LF	380.000	380.000		380.000	\$3.52	\$1,337.60
0260	Remove and Reinstall Chain Link Fence	LF	610.000	305.000		305.000	\$12.75	\$3,888.75
0270	Chain Link Fence, 96-in	LF	1,550.000	2,214.000		2,214.000	\$17.16	\$37,992.24
0280	Chain Link Fence Gates, 24-ft wide	Each	1.000	1.000		1.000	\$1,262.00	\$1,262.00
0290	Chain Link Fence Gates, 16-ft wide	Each	2.000	2.000		2.000	\$1,105.00	\$2,210.00
0300	Cable Gate	Each	1.000	1.000		1.000	\$910.00	\$910.00
0310	Railroad Crossing	LS	1.000	1.000		1.000	\$10,000.00	\$10,000.00
	Change Order No. 1-Contract Item							




13

PROJECT: Riverpoint West Detention Basin
 CONTRACTOR: Saxton Inc.

PARTIAL PAYMENT NO. 11 Final

LINE NO.	DESCRIPTION	UNIT	UNITS		ESTIMATED	CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			AUTHORIZED					
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS				\$791,358.86			
	PARTIAL PAYMENT NO. 1				\$160,943.90			
	PARTIAL PAYMENT NO. 2				\$61,180.00			
	PARTIAL PAYMENT NO. 3				\$96,710.00			
	PARTIAL PAYMENT NO. 4				\$80,750.00			
	PARTIAL PAYMENT NO. 5				\$65,388.78			
	PARTIAL PAYMENT NO. 6				\$41,610.92			
	PARTIAL PAYMENT NO. 7				\$96,148.36			
	PARTIAL PAYMENT NO. 8				\$57,530.77			
	PARTIAL PAYMENT NO. 9				\$74,329.81			
	PARTIAL PAYMENT NO. 10				\$9,225.45			
	THIS PARTIAL PAYMENT				\$7,972.93			
	TOTAL PARTIAL PAYMENTS				\$751,790.92			
	BALANCE				\$39,567.94			
	Percent Complete		100%					
	TOTAL							\$791,358.86
	RETAINAGE							\$39,567.94
	TOTAL LESS RETAINAGE							\$751,790.92
	LESS PREVIOUS PAYMENT							\$743,817.99
	AMOUNT DUE							\$7,972.93

PARTIAL PAYMENT NO. 11 Final

PREPARED BY: 
 CHECKED BY: 
 SAXTON INC.: 

12B